

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 225 be amended to read as follows:

- 1 Page 5, delete lines 29 through 34, begin a new paragraph and insert:
- 2 "Sec. 1. This article applies only to Allen County.
- 3 Sec. 2. The general assembly finds that Allen County and Fort
- 4 Wayne are subject to special circumstances that justify special
- 5 legislation to allow them to change their government structure:
- 6 (1) Fort Wayne is the city with the second largest population
- 7 in Indiana and comprises over sixty percent (60%) of the
- 8 population of Allen County.
- 9 (2) Allen County is geographically the largest county in
- 10 Indiana.
- 11 (3) Allen County constitutes a unique combination of urban,
- 12 suburban, and rural geography.
- 13 (4) Fort Wayne is the economic and cultural center of a six
- 14 (6) county region in Indiana as well as a part of southeast
- 15 Michigan and northeast Ohio. Fort Wayne serves as a
- 16 highway, railroad, and air transportation corridor for these
- 17 areas.
- 18 (5) Fort Wayne has experienced accelerated growth as
- 19 follows:
- 20 (A) The 1990 decennial census and 2000 decennial census
- 21 figures indicate that Fort Wayne:
- 22 (i) increased its population by thirty-two thousand six
- 23 hundred fifty-five (32,655) to a total population of two
- 24 hundred five thousand seven hundred twenty-seven
- 25 (205,727); and
- 26 (ii) increased its land area by sixteen and twenty-five
- 27 hundredths (16.25) square miles to a total land area of
- 28 seventy-eight and ninety-five hundredths (78.95) square
- 29 miles.

**(B) As of June 1, 2003, as a result of annexations that occurred after the 2000 decennial census, Fort Wayne increased:**

**(i) its population by an estimated fifteen thousand (15,000) to a total estimated population of two hundred twenty thousand (220,000); and**

**(ii) its land area by an estimated eleven (11) square miles to a total estimated land area of more than ninety (90) square miles.**

**(C) As of January 1, 2006, as the result of another annexation of territory, Fort Wayne will increase:**

**(i) its population by an estimated twenty-three thousand (23,000) to an estimated two hundred forty-three thousand (243,000); and**

**(ii) its land area by an estimated twelve (12) square miles.**

**(6) Fort Wayne's rapid growth has created overlapping jurisdictions and duplication of services among various local governmental units and has made it increasingly difficult for these units to pay for the provision of services.**

**(7) Like Indianapolis, Fort Wayne is a dense metropolitan area that would benefit from a consolidation of government functions and more centralized control over the metropolitan area.**

**(8) Considerable community support exists from the business, political, civic, and educational sectors, and the general population to review the structure of local government in Allen County."**

Page 5, line 35, delete "2." and insert "3."

Page 5, line 37, delete "3." and insert "4."

Page 5, line 39, delete "4." and insert "5."

Page 5, line 41, delete "5." and insert "6."

Page 6, line 4, delete "6." and insert "7."

Page 6, line 9, delete "7." and insert "8."

Page 6, line 12, delete "IC 36-12-4-3." and insert "IC 36-12-4-2."

Page 6, line 13, delete "8." and insert "9."

Page 6, line 20, delete "9." and insert "10."

Page 6, line 21, delete "10." and insert "11."

Page 6, line 24, delete "11." and insert "12."

Page 6, line 26, delete "12." and insert "13."

Page 7, line 23, delete "each" and insert "the".

Page 7, line 42, delete "each" and insert "the".

Page 8, line 1, delete "jointly".

Page 8, line 2, delete "each" and insert "the".

Page 8, between lines 6 and 7, begin a new line block indented and insert:

**"(5) One (1) member appointed jointly by the town legislative body of each town located in the county."**

Page 8, line 7, before "Five" delete "(5)" and insert "(6)".

Page 8, line 8, delete "(6)" and insert "(7)".

Page 8, line 9, delete "(7)" and insert "(8)".

Page 8, line 9, delete "Two (2)" and insert **"Three (3)"**.

Page 8, line 11, delete "(8)" and insert "(9)".

Page 8, between lines 16 and 17, begin a new paragraph and insert:

**"Sec. 7. The commission shall select a chairperson and vice chairperson from among the membership of the commission."**

Page 8, line 17, delete "7." and insert **"8."**

Page 8, line 23, delete "8." and insert **"9."**

Page 8, line 26, delete "9." and insert **"10."**

Page 8, line 28, delete "10." and insert **"11."**

Page 8, delete lines 38 through 41, begin a new line block indented and insert:

**"(2) Fifty percent (50%) of the expenses shall be paid from the general fund of the second class city located in the county."**

Page 8, line 42, delete "11." and insert **"12."**

Page 9, line 5, delete "an included" and insert **"the"**.

Page 9, line 5, after "second" insert **"class city"**.

Page 9, line 5, after "or" insert **"an included"**.

Page 9, line 9, delete "12." and insert **"13."**

Page 9, line 13, delete "13." and insert **"14."**

Page 9, line 21, delete "14." and insert **"15."**

Page 9, line 21, delete "IC 36-12-4-4," and insert **"IC 36-12-4-3,"**.

Page 9, delete lines 33 through 36.

Page 9, line 37, delete "3." and insert **"2."**

Page 9, line 38, after "or excluded" insert **"third class"**.

Page 10, line 1, delete "4." and insert **"3."**

Page 10, delete lines 5 through 19.

Page 12, line 8, delete "committee" and insert **"commission"**.

Page 12, line 20, delete "committee" and insert **"commission"**.

Page 12, line 21, delete "committee" and insert **"commission"**.

Page 12, line 22, delete "committee" and insert **"commission"**.

Page 13, line 1, delete "each" and insert **"the"**.

Page 17, line 42, after "(6)" insert **"subject to subsection (c),"**.

Page 18, between lines 2 and 3, begin a new paragraph and insert:

**"(c) A reorganized municipal corporation may impose property taxes for the purpose of paying debt service on bonds or other indebtedness transferred to the reorganized municipal corporation"**

as described in subsection (b)(6) only in the geographic area as of the date the bonds were issued or the other indebtedness was incurred of the included municipal corporation that issued the bonds or entered into the other indebtedness."

Page 18, line 16, delete "or IC 6-1.1-19".

Page 18, between lines 17 and 18, begin a new paragraph and insert:

**"Chapter 9. Nonseverability**

**Sec. 1. For purposes of IC 1-1-1-8, if IC 36-12-1-1 is held invalid, the following provisions are void:**

**(1) The amendments to IC 1-1-4-5 made by SEA 225-2004, SECTION 1.**

**(2) The amendments to IC 6-1.1-18.5-7 made by SEA 225-2004, SECTION 2.**

**(3) The amendments to IC 36-1-2-4.2 made by SEA 225-2004, SECTION 3.**

**(4) The amendments to IC 36-1-3-5 made by SEA 225-2004, SECTION 4.**

**(5) The amendments to IC 36-1-3-9 made by SEA 225-2004, SECTION 5.**

**(6) IC 36-12, except for this chapter."**

(Reference is to SB 225 as printed January 30, 2004.)

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Senator LONG